



RESOLUTION

GRANTING A SPECIAL MANAGEMENT AREA (SMA) USE PERMIT TO CONSTRUCT THREE TWO-STORY, TWO-FAMILY DWELLING UNITS, LANDSCAPING, SWIMMING POOLS, A CONCRETE MASONRY UNIT (CMU) WALL, AND GUEST PARKING AREAS WITHIN THE SMA, ALONG WITH MINOR STRUCTURES WITHIN THE 40-FOOT SHORELINE SETBACK AREA.

WHEREAS, on July 1, 2016, the Department of Planning and Permitting (DPP) accepted the application (File No. 2016/SMA-22) of 4607 Kahala LLC, herein referred to as the "Applicant," for an SMA Use Permit, to allow the construction of three new two-story, two-family dwelling units, landscaping, swimming pools, a CMU wall, and guest parking areas at 4607 Kahala, Honolulu, Oahu, and identified as Tax Map Key 3-5-5: 16, Reference Number 2016/SMA-22; and

WHEREAS, on August 3, 2016, the DPP held a Public Hearing which was attended by the Agent, one representative of the Applicant, and 45 members of the public; public testimony was offered by 15 members at the Public Hearing; and

WHEREAS, on September 1, 2016, within 20 working days after the close of the Public Hearing, the DPP having duly considered all evidence and the objectives, policies, and guidelines as established in Sections 25-3.1 and 25-3.2, Revised Ordinances of Honolulu (ROH), and Sections 205A-2 and 205A-26, Hawaii Revised Statutes (HRS), completed its report and transmitted its findings and recommendation of approval to the Council; and

WHEREAS, the City Council, having received the findings and recommendation of the DPP on _____, and at its meeting of _____, having duly considered all of the findings and reports on the matter, approved the subject application for an SMA Use Permit with the conditions enumerated below; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that a SMA Use Permit be issued to the Applicant under the following conditions:

- A. Construction of three two-story, two-family dwelling units, swimming pools, a rock or CMU wall, and guest parking area, and minor structures within the shoreline setback area, including open-work fences, a gate, and steps within the shoreline setback area, shall be in general conformity with the Project as described in the Report and Recommendation by the Director of the DPP, and as depicted in Exhibits B-1 through B-10. Any changes in the size or nature of the Project which have a significant effect on coastal resources addressed in Chapter 25, ROH, and Chapter 205-A, HRS, shall require a new application. Any changes



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which do not have a significant effect on coastal resources shall be considered a minor modification and therefore permitted under this resolution, upon review and approval of the Director of the DPP.

- B. If, during construction, any previously unidentified archaeological sites or remains (such as artifacts, shell, bone, or charcoal deposits, human burials, rock or coral alignments, paving's, or walls) are encountered, the Applicant shall stop work and contact the Department of Land and Natural Resources (DLNR), State Historic Preservation Division (SHPD) immediately. Work in the immediate area shall be stopped until the SHPD is able to assess the impact and make further recommendations for mitigative activity.
- C. Artificial light from exterior light fixtures, including, but not necessarily limited to floodlights, uplights, or spotlights used for decorative or aesthetic purposes, shall be prohibited if the light directly illuminates or is directed to project across property boundaries toward the shoreline and ocean waters, except as may otherwise be permitted pursuant to Section 205A-71(b), HRS.
- D. Prior to any site work, the Applicant shall conduct surveys to determine the presence and/or location of seabird nesting areas within the property. No potentially disruptive activities shall occur during the breeding season (August through October) or in the vicinity of any identified nests of protected seabirds. Any observations of any threatened or endangered species in the Project area during site preparation and construction shall be reported to the DLNR Division of Aquatic Resources (DAR).
- E. All site work and/or construction activities shall be limited to daytime only.
- F. Established vegetation along the shoreline shall be maintained and shall not be removed without prior review and approval by the Director of the DPP.
- G. All minor structures (i.e., irrigation, fences, gates, and pavers) shall be contained and maintained within the property lines of the lot of origin, and shall under no circumstances extend seaward of the shoreline as depicted on the certified shoreline survey for the lot dated December 21, 2015.
- H. The Applicant shall implement infiltrative technology best management practices (BMPs) and construction processes to control erosion and sedimentation. Photographs documenting the infiltrative technology BMPs and construction processes shall be submitted to the DLNR, DAR, with a copy to the DPP.
- I. Approval of this SMA Use Permit does not constitute compliance with other LUO or other governmental requirements, including grading and grubbing permits.



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They are subject to separate review and approval. The Applicant will be responsible for insuring that the final plans for the Project approved under this permit comply with all applicable land use ordinance (LUO) and other governmental provisions and requirements.

- J. **The Applicant shall obtain a development permit for the proposed development within two years of the date of this permit.** Failure to obtain a development permit within this period shall render this permit null and void, provided that this period may be extended as follows: The Director of the DPP may extend this period if the Applicant demonstrates good cause, but the period shall not be extended beyond one year from the initial deadline set by the City Council.

If the Applicant demonstrates good cause for an extension exceeding one year, the Director shall prepare and submit to the Council a report on the proposed extension, which the report shall include the Director's findings and recommendations thereon. The Council may approve the proposed extension or an extension for a shorter or longer period, or deny the proposed extension, by adoption of a committee report or resolution. If the Council fails to take final action on the proposed extension within the first to occur of: (a) 60 days after receipt of the Director's report; or, (b) the Applicant's then-existing deadline for obtaining a building permit, the extension shall be deemed to be denied.

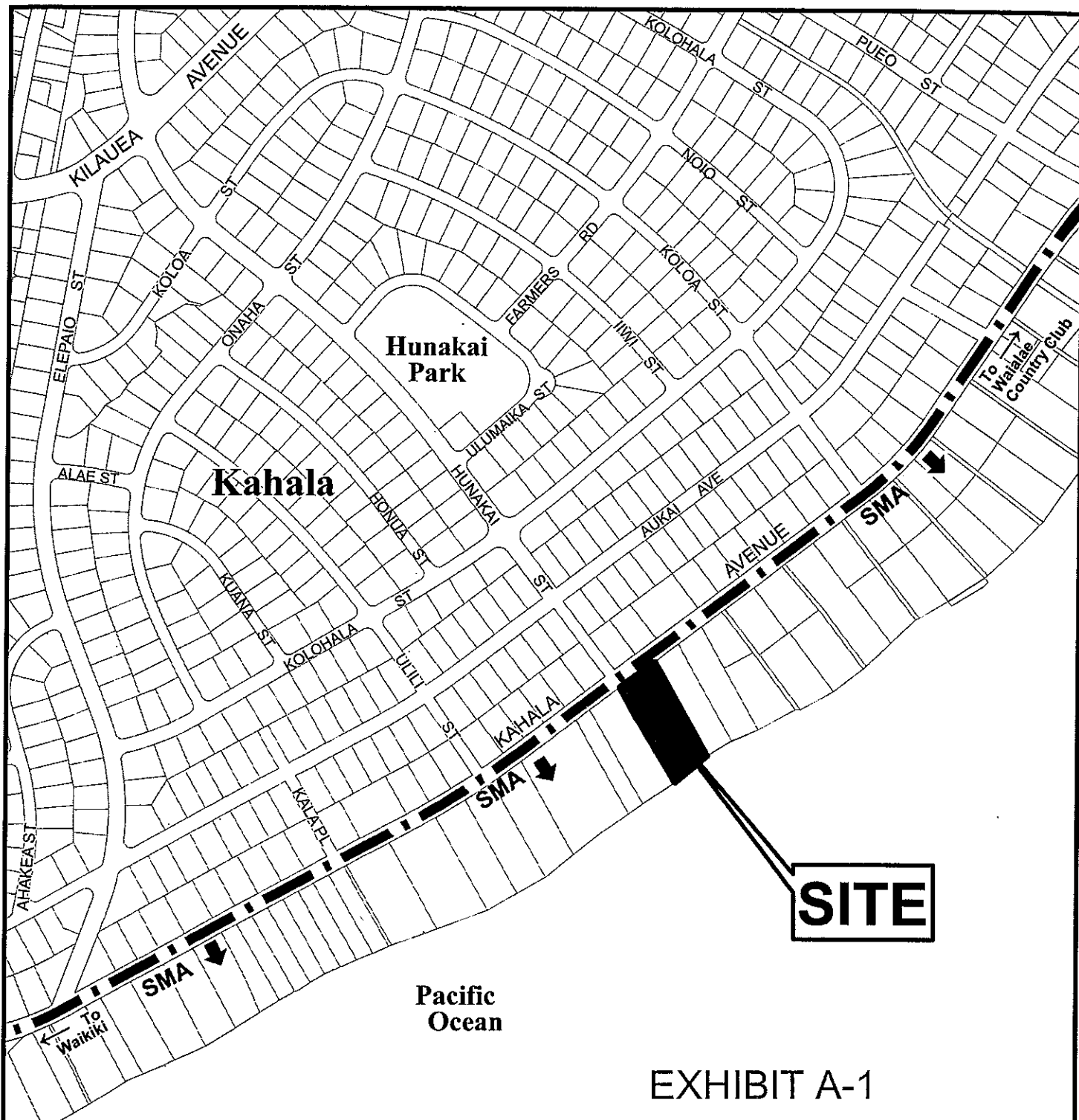
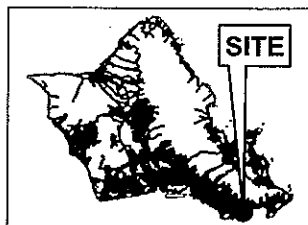
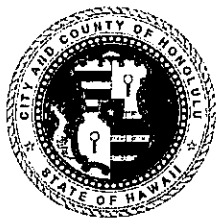


EXHIBIT A-1



VICINITY MAP



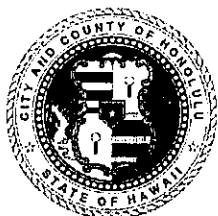
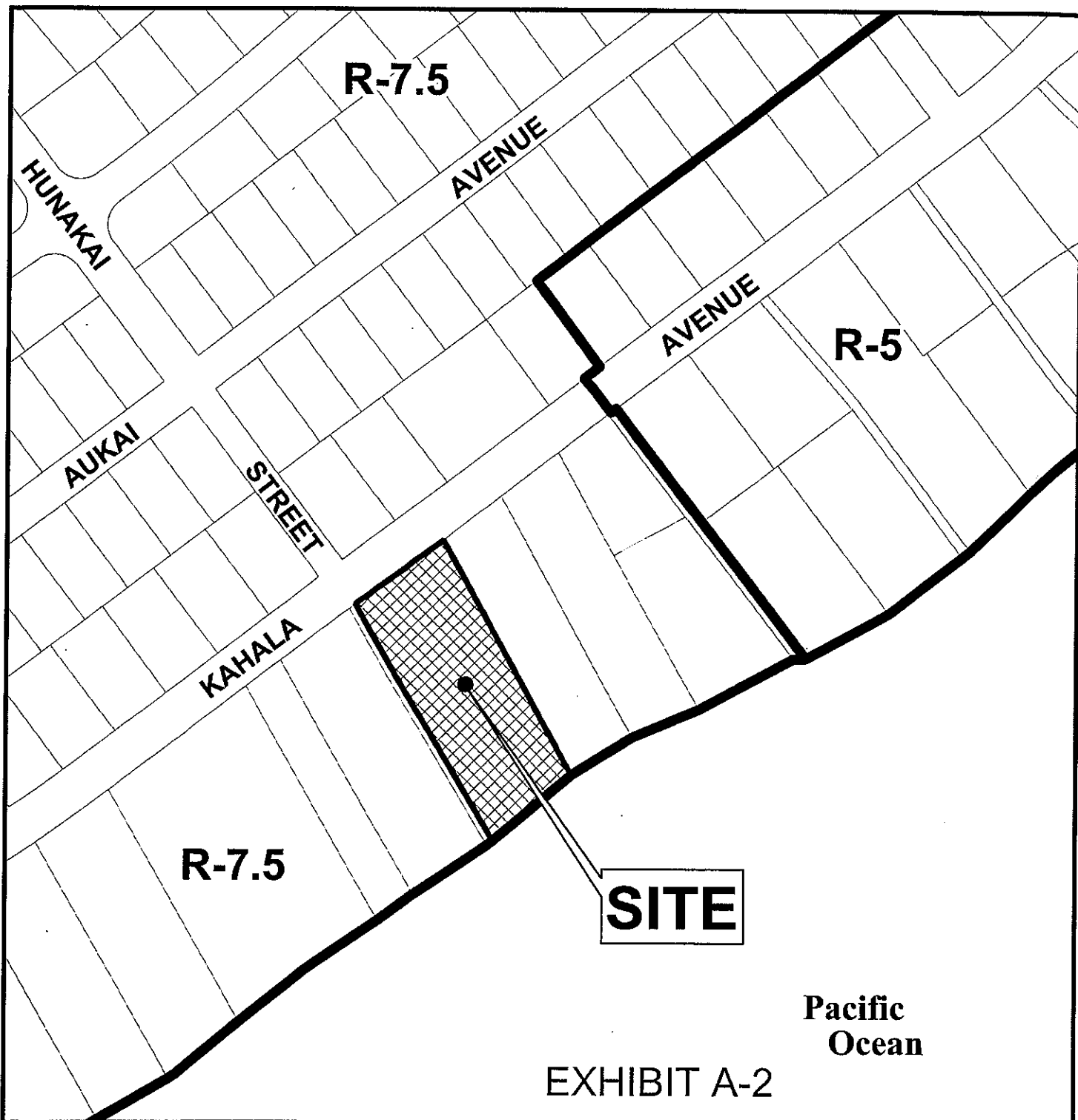
500 250 0 500

Scale in Feet

LOCATION MAP with SMA KAHALA

TAX MAP KEY(S): 3-5-05: 16

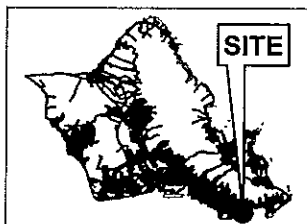
FOLDER NOs.: 2016/SMA-22



200 100 0 200



Scale in Feet



VICINITY MAP

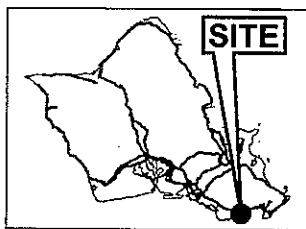
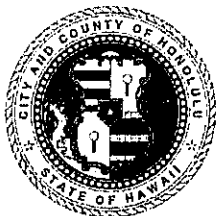
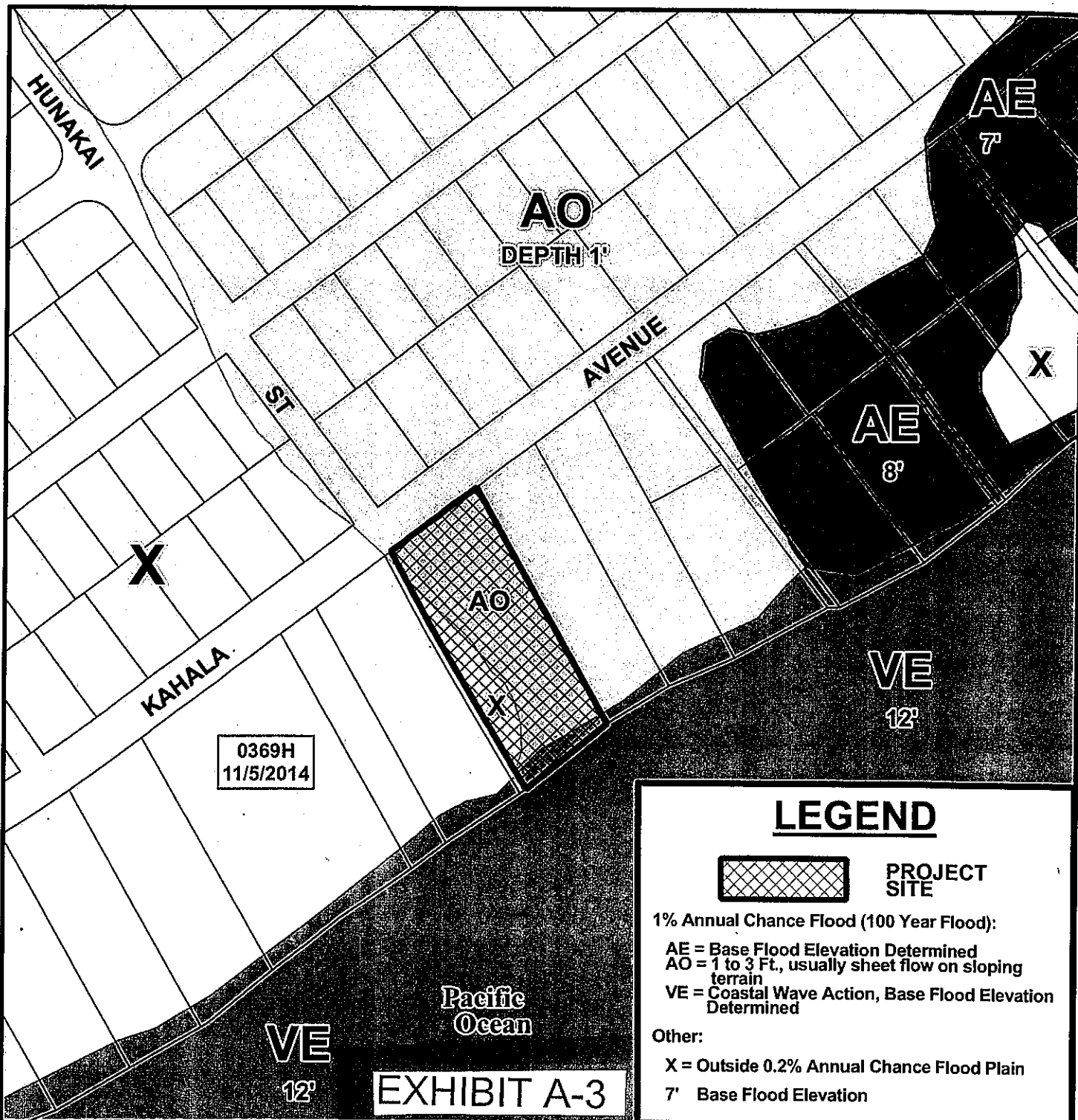


PORTION OF ZONING MAP

KAHALA - KULIOUOU

TAX MAP KEY(S): 3-5-05: 16

FOLDER NO.: 2016/SMA-22



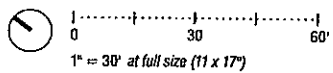
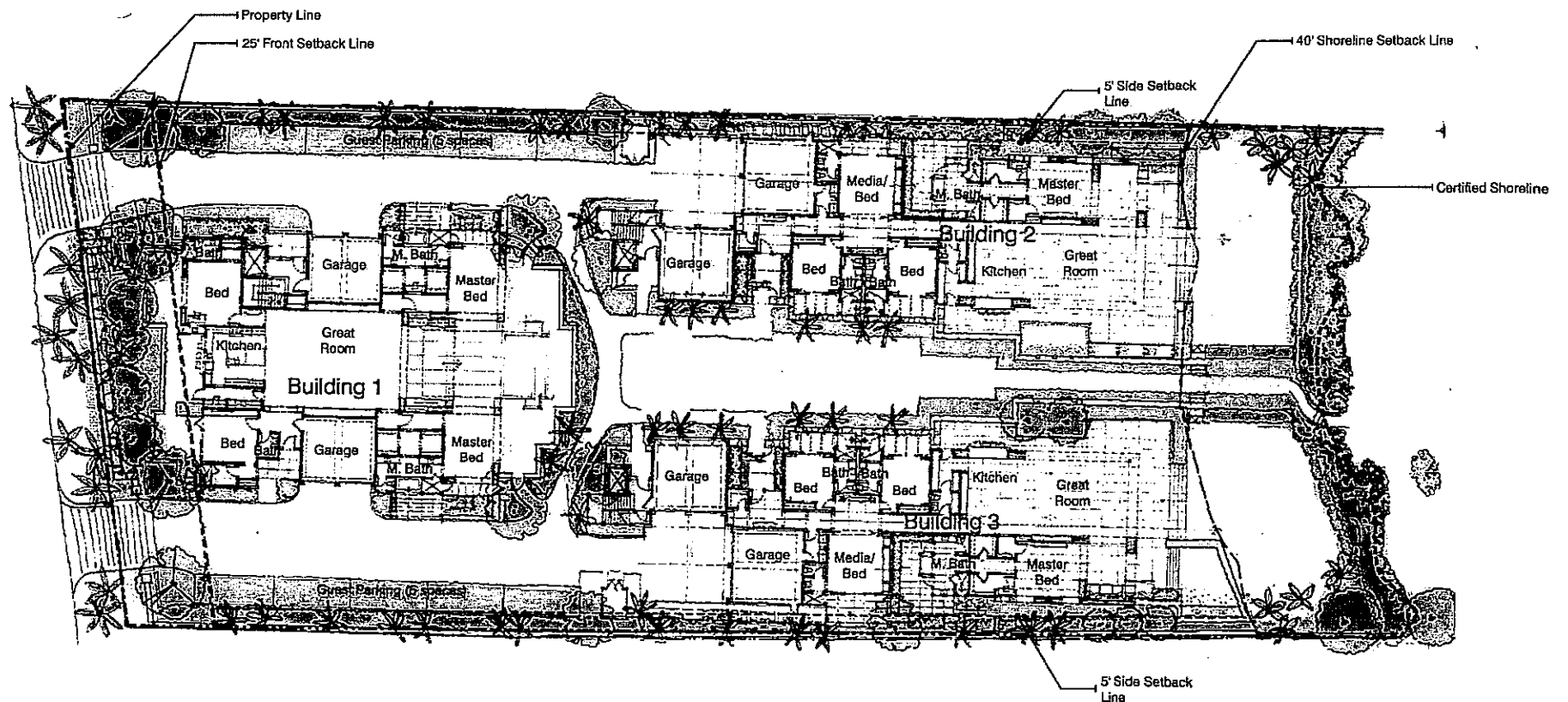
VICINITY MAP



PORTION OF
FLOOD HAZARD MAP
FIRM PANEL 369H (11/5/2014)

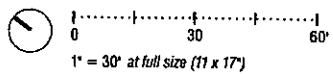
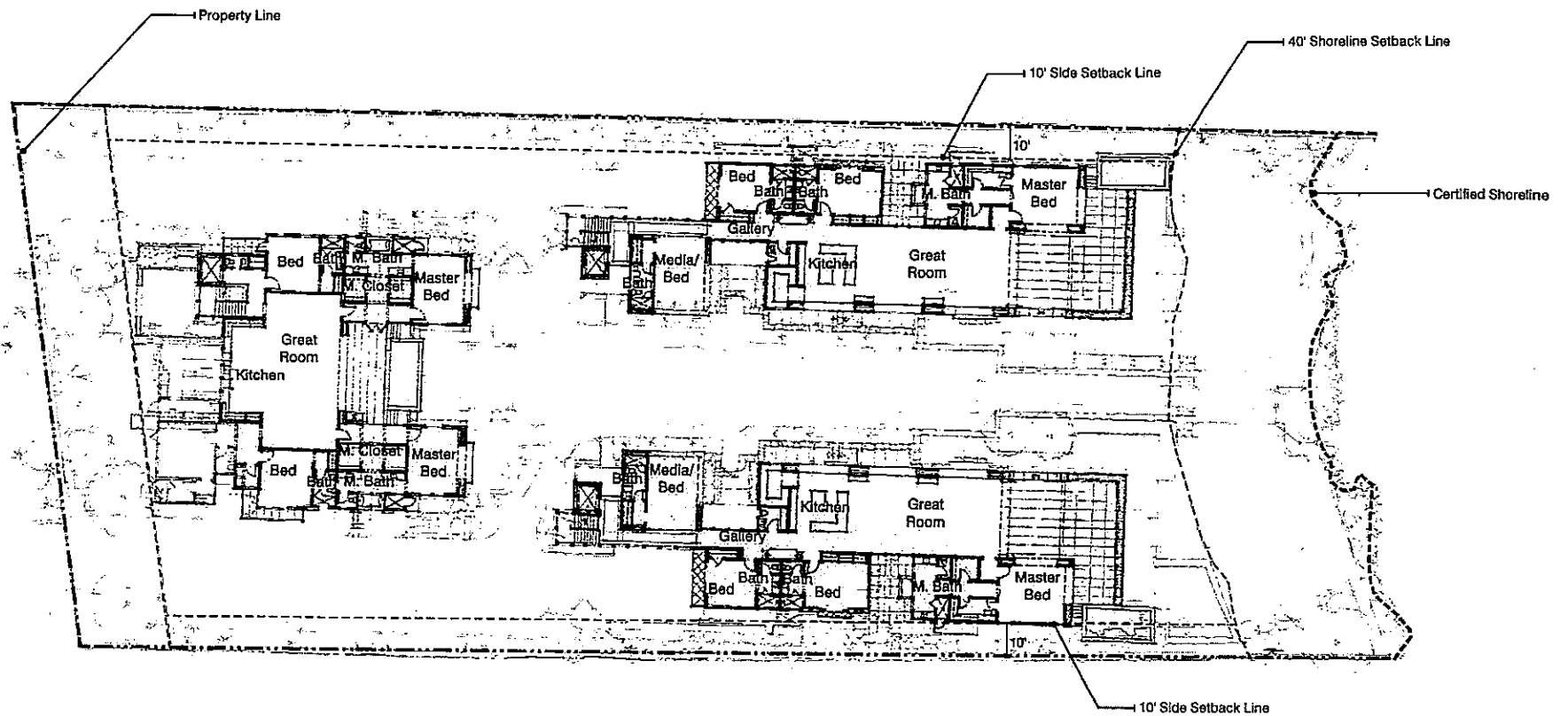
TAX MAP KEY(S): 3-5-05: 16

FOLDER NOS.: 2016/SMA-22



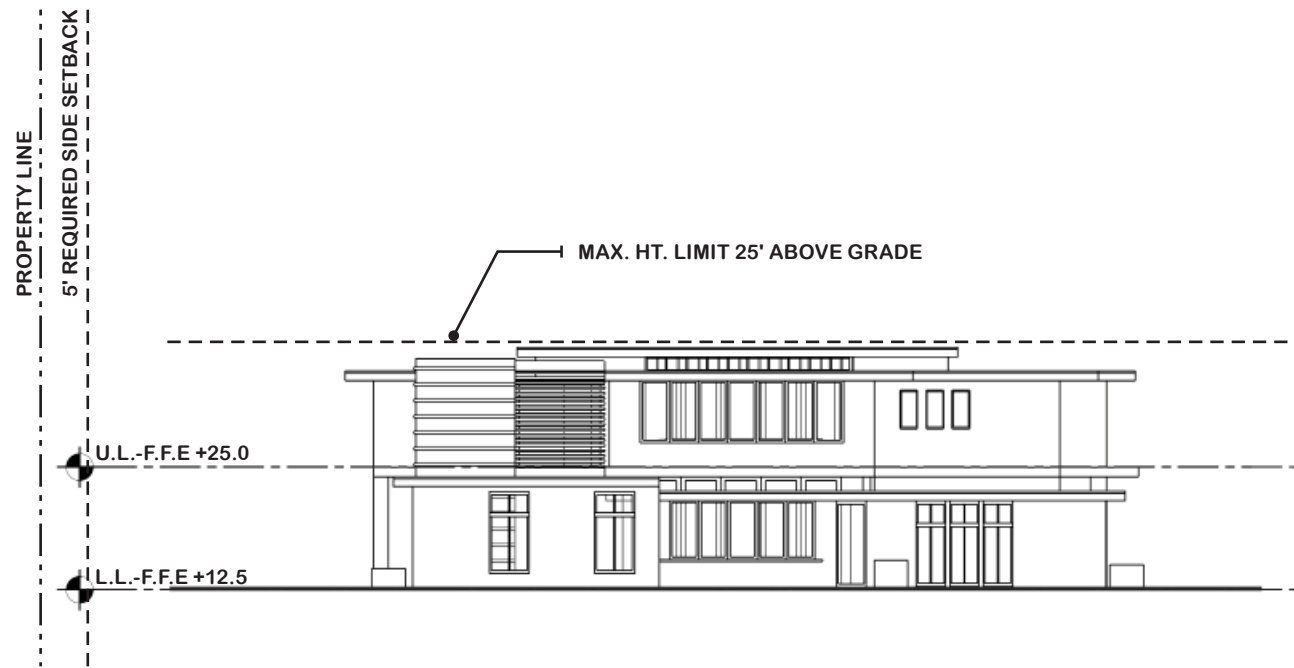
First Floor Plan

Exhibit B-1
File No. 2016/SMA-22

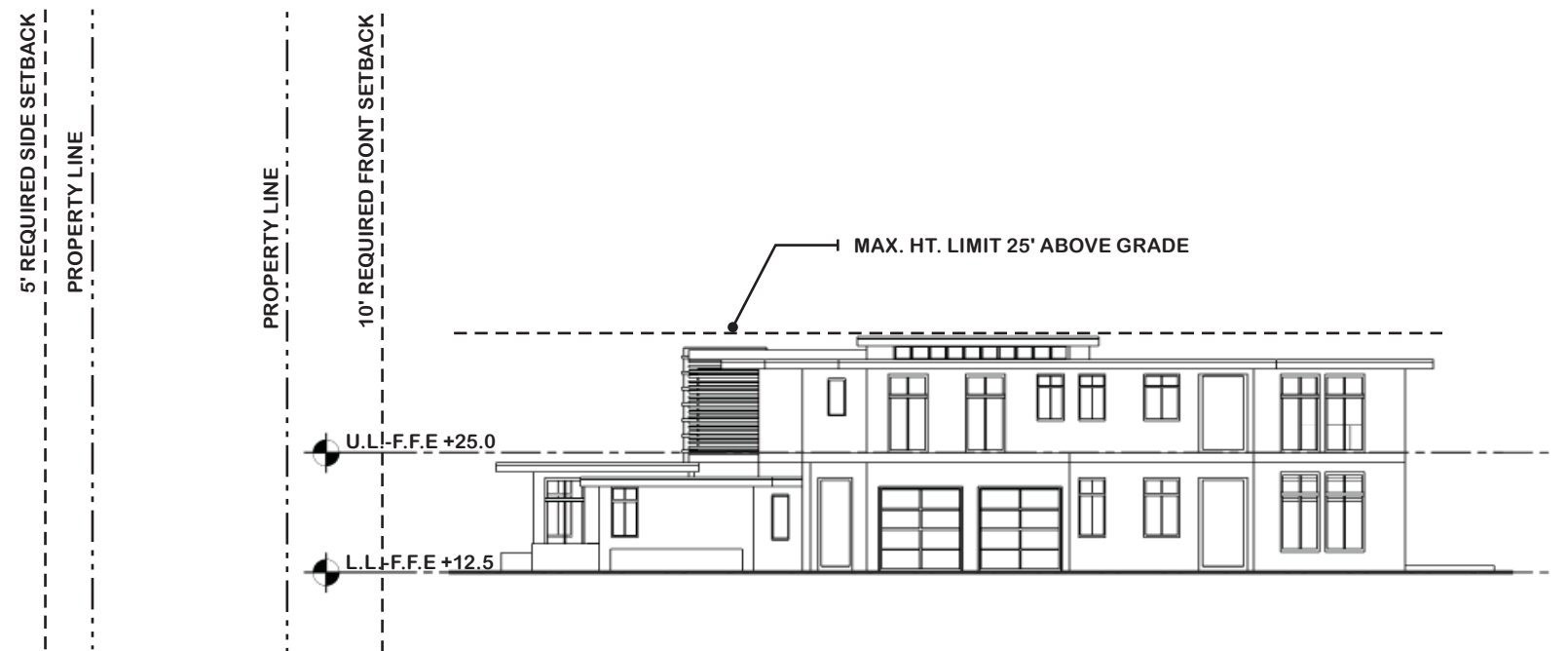


Second Floor Plan

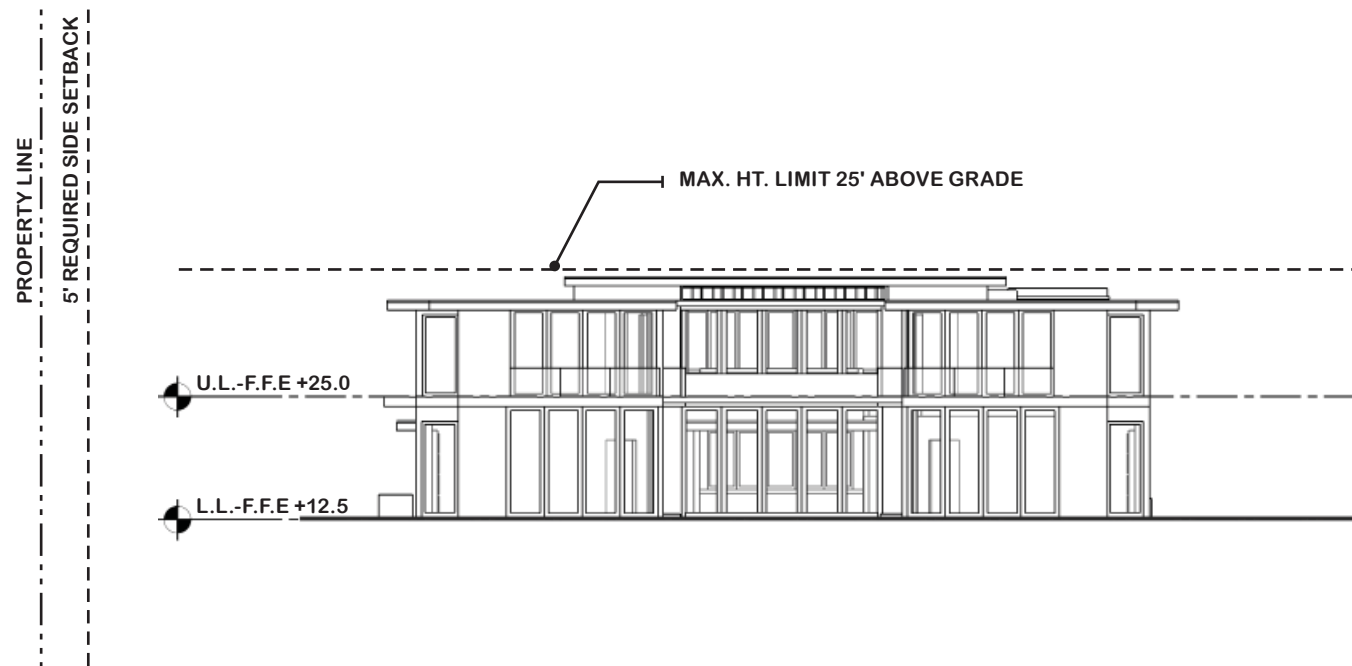
Exhibit B-2
File No. 2016/SMA-22



Building 1 North Elevation



Building 1 East Elevation



Building 1 South Elevation

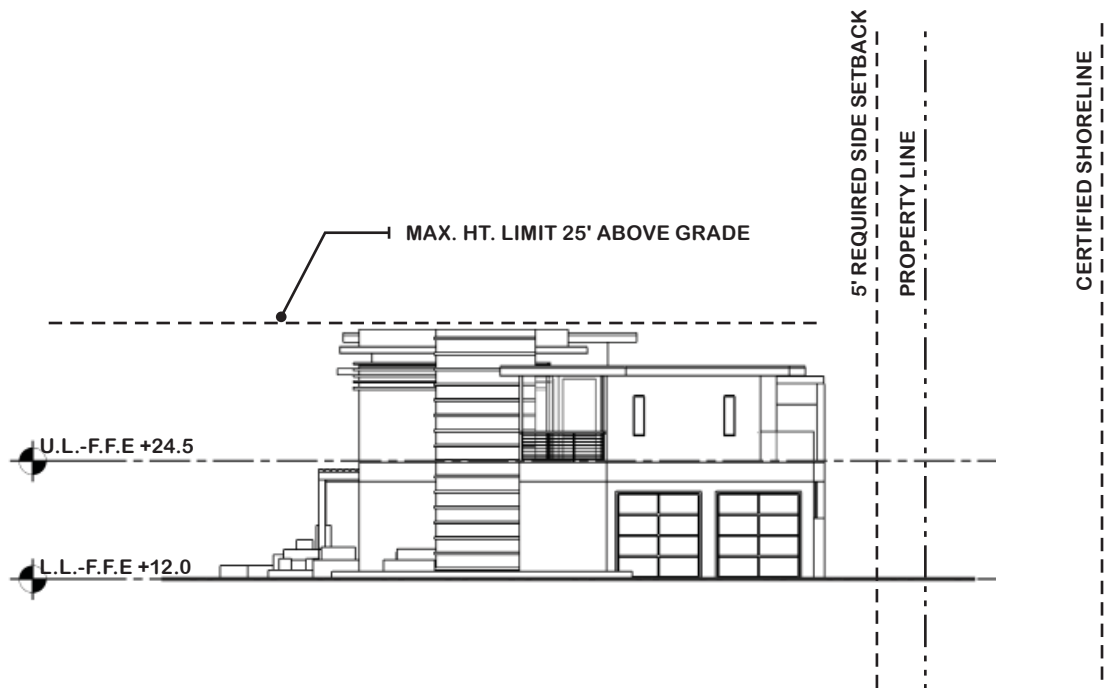


Building 1 West Elevation

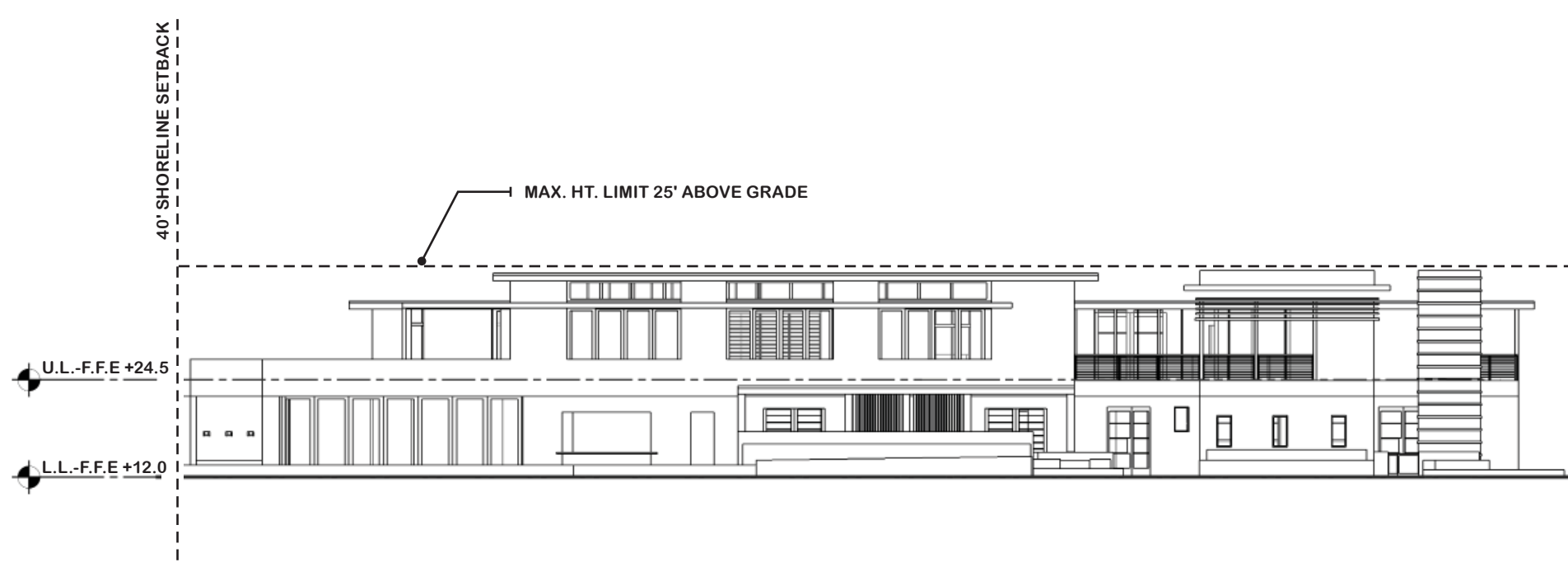
0 20 40'
1" = 20' at full size (11 x 17")

Exhibit B-3
File No. 2016/SMA-22

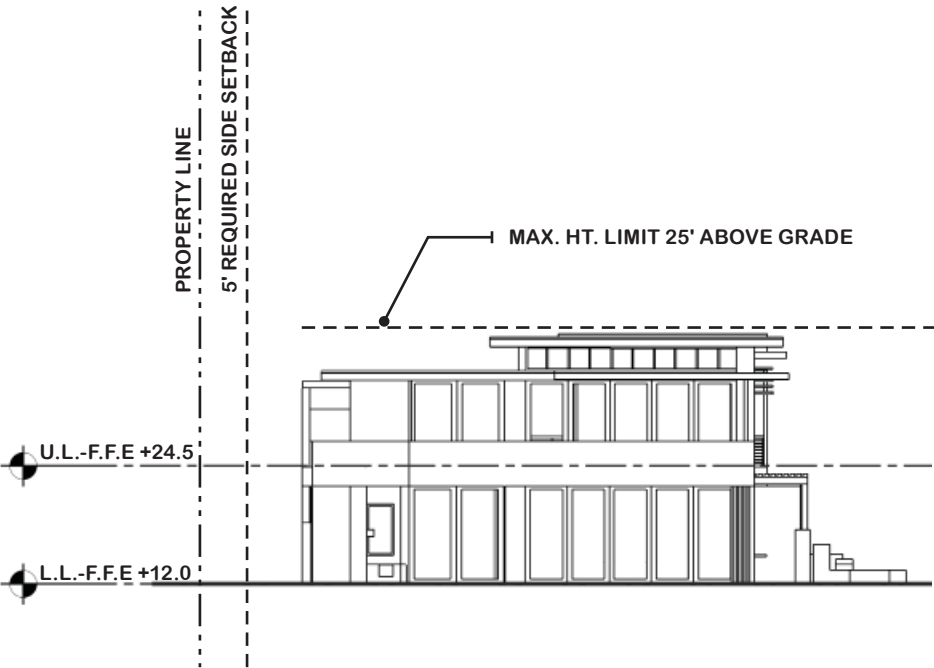
Elevations



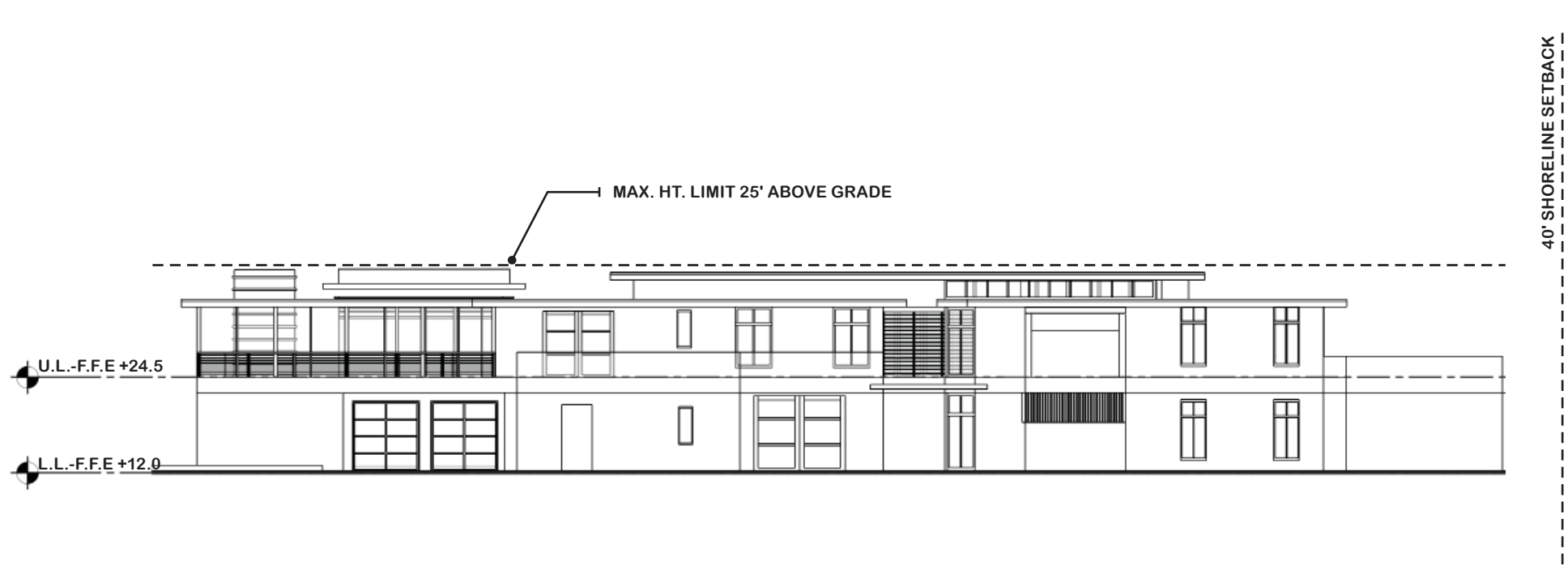
Building 3 North Elevation



Building 3 East Elevation



Building 3 South Elevation



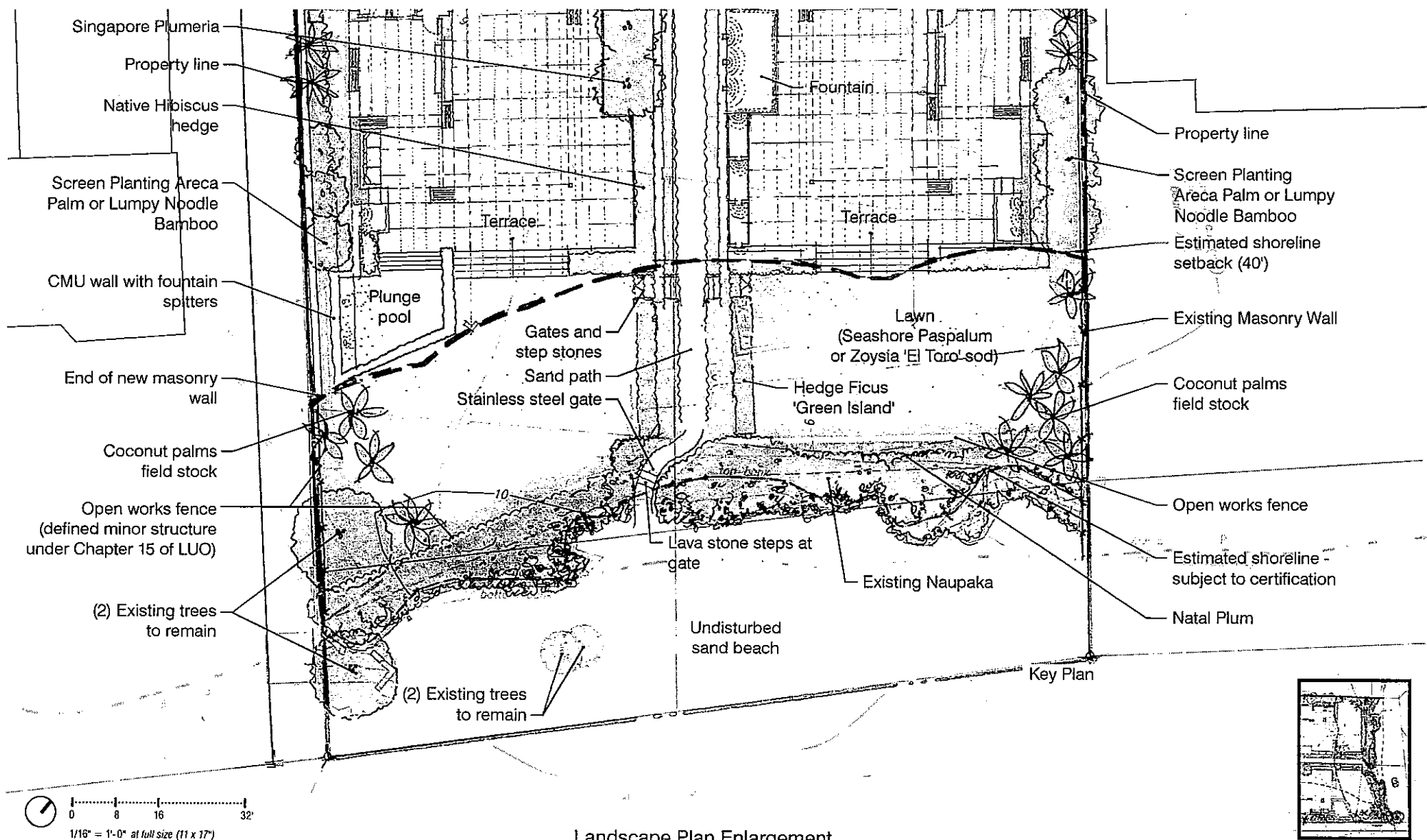
Building 3 West Elevation

0 20 40'
1" = 20' at full size (11 x 17")

Exhibit B-4
File No. 2016/SMA-22

Elevations

Note: Building 2 identical to Building 3 but mirrored



Landscape Plan Enlargement

Exhibit B-5
File No. 2016/SMA-22

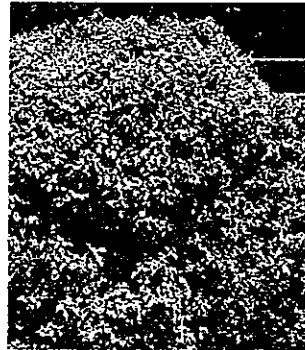
Smaller Shrubs



Green Ti



Purple Spider Lily



Kului



Beach Naupaka



Crinum Lily



Giant White Thunbergia

Vines

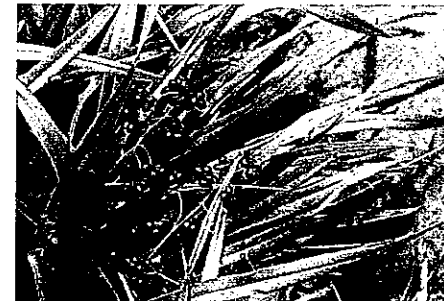
Groundcovers



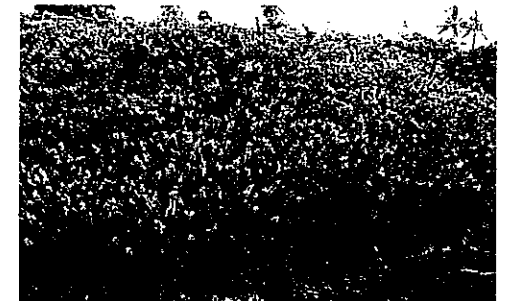
Kupukupu Fern



Carex



Ukiuki



Akia



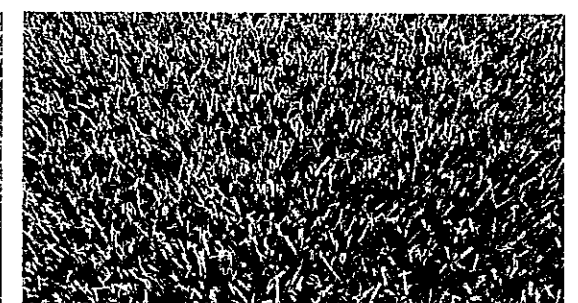
Kangaroo Paw Laua'e



Pohinahina



Ulei



'El Toro' Zoysia Lawn

Palms and Trees



Coconut Palm



Areca Palm



Thornless Hala Tree



Singapore Plumeria



Loulu Palm

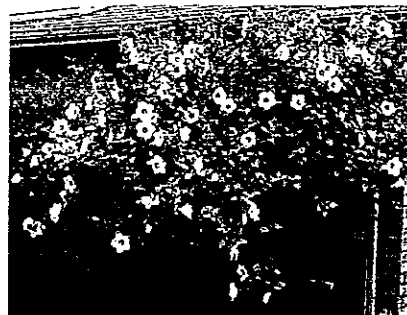
Tall Shrubs



Borneo Giant 'Ape



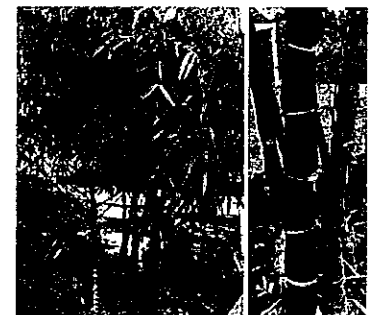
Natal Plum



Native White Hibiscus



Native Red Hibiscus



'Buddah Belly' Bamboo



Dwarf 'Ape' (*A. gageana*)



Lumpy Noodle Bamboo



Red Ginger



'Burle Marx' Philodendron

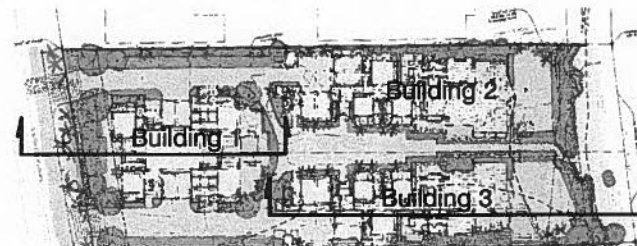
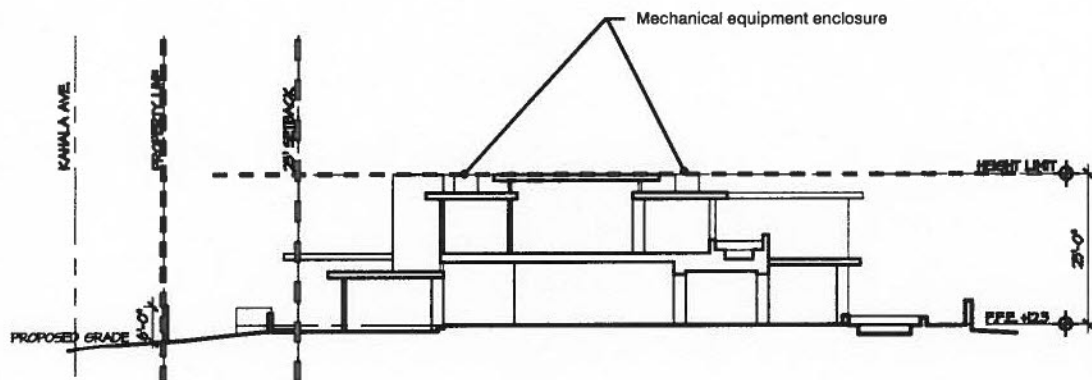
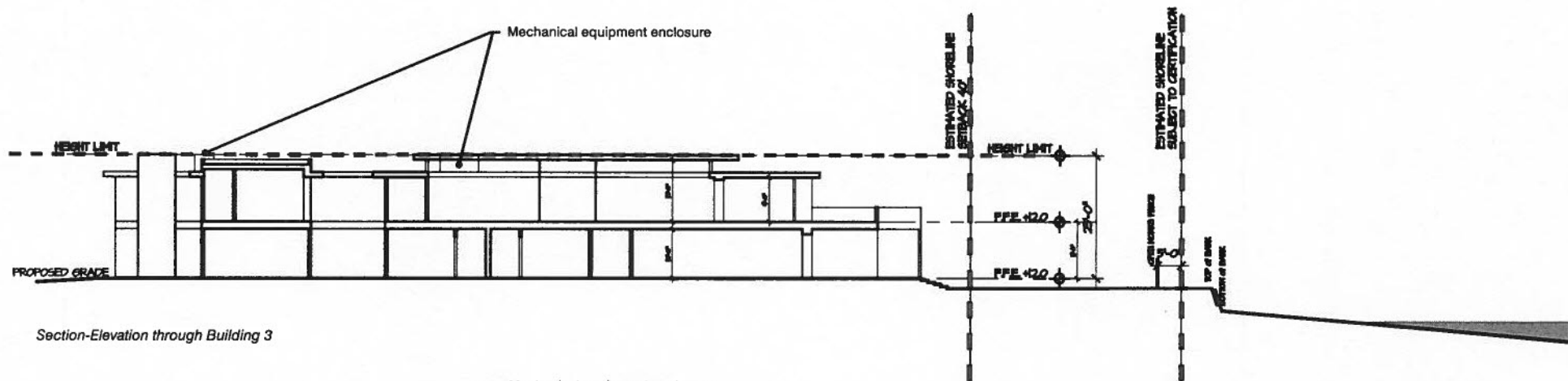


Nau Gardenia

Plant Palette

Exhibit B-7

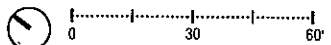
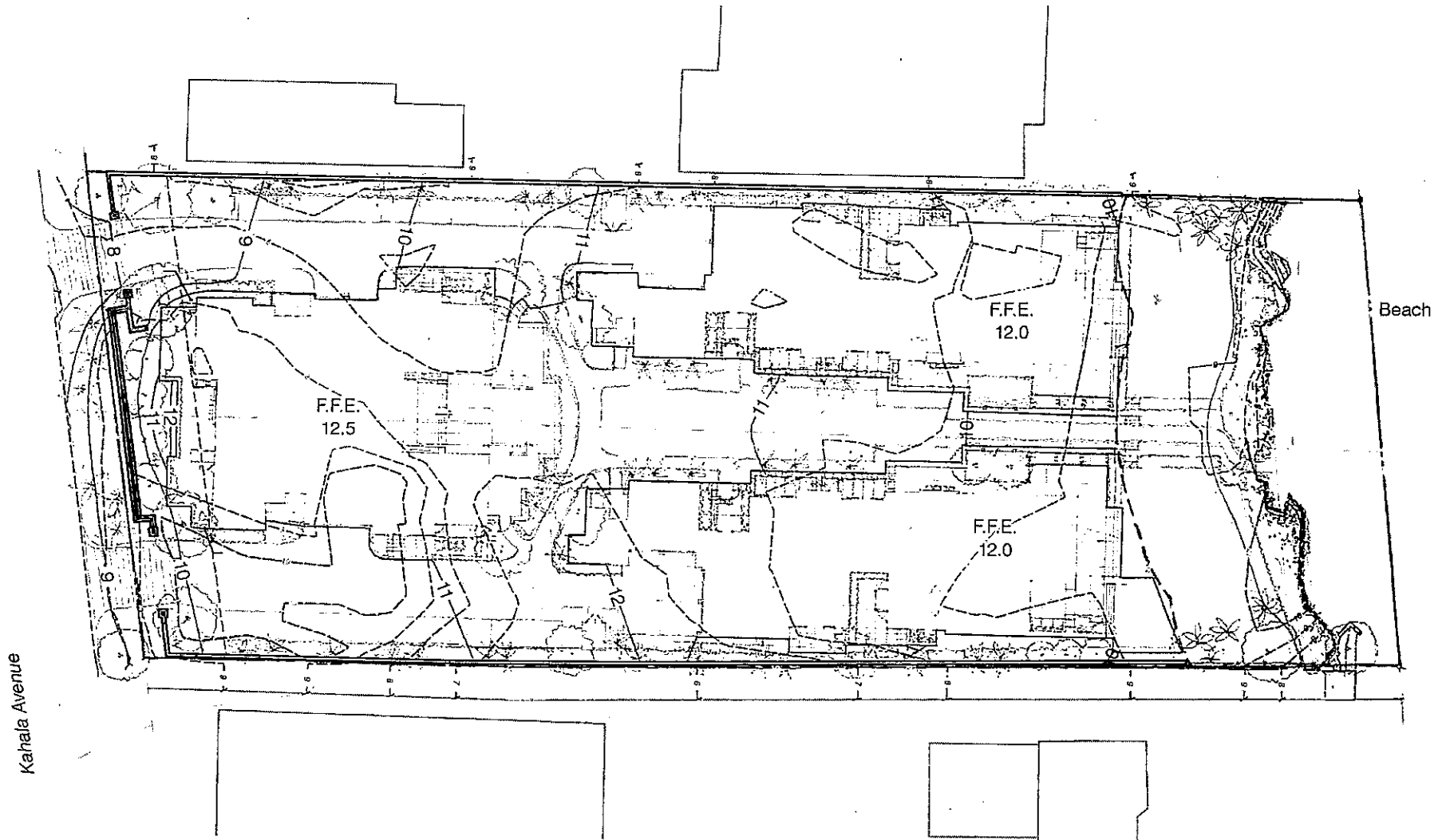
File No. 2016/SMA-22



0 20 40
1" = 20' at full size (11 x 17")

Site Sections

Exhibit B-8
File No. 2016/SMA-22



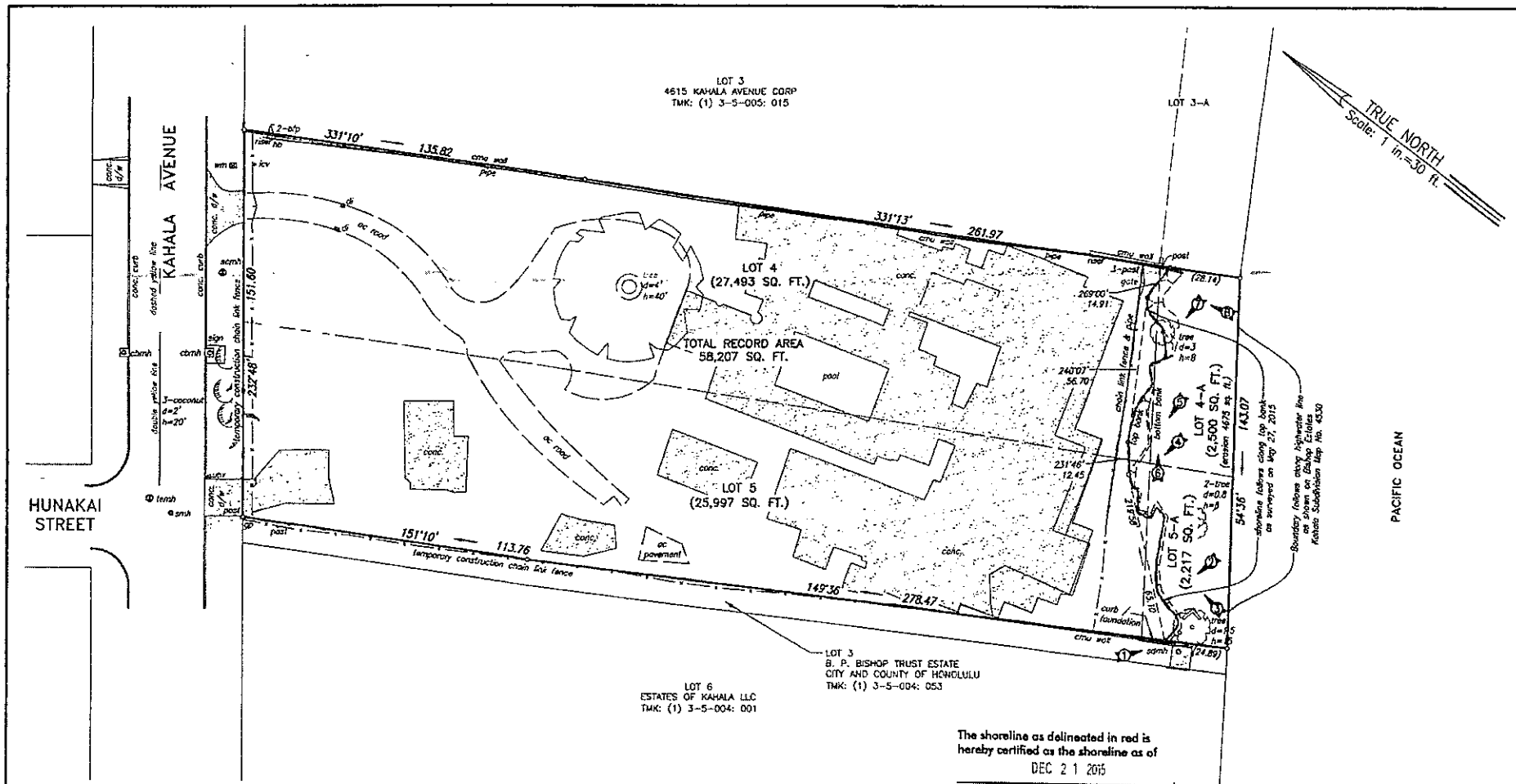
1" = 30' at full size (11 x 17")

Note: Contour lines outside property boundary are approximate

--- Existing Contour
 — Proposed Contour

Grading Concept Plan

Exhibit B-9
 File No. 2016/SMA-22



NOTES

1. Azimuths shown on this map are referred to Government Survey Triangulation Station "LEAH" Δ .
2. Names of adjoining property owners were taken from Real Property Tax Records.
3. Shoreline certification is for building setback purposes.
 Δ Denotes photo number and direction.
4. Map is based on a field survey on May 27, 2015

SHORELINE CERTIFICATION MAP OF LOTS 4, 4-A, 5 AND 5-A OF THE KAHALA SUBDIVISION BEING PORTION OF ROYAL PATENT T121, LAND COMMISSION AWARD 228, APANA 2 TO KALEIHEANA SITUATED IN KAHALA, HONOLULU, OAHU, HAWAII TAX MAP KEY: (1) 3-5-005: 016

SITE ADDRESS: 4607 KAHALA AVENUE
HONOLULU, HAWAII 96816
OWNER: 4607 KAHALA LLC

Exhibit B-10
File No. 2016/SMA-22



AUSTIN, TSUTSUMI, & ASSOCIATES INC.
501 SUMNER STREET, SUITE 521
HONOLULU, HI 96817, (808) 333-3648

THIS WORK WAS PREPARED BY ME
OR UNDER MY SUPERVISION.

Erik S. Kaneshiro
ERIK S. KANESHIRO
LICENSED PROFESSIONAL LAND SURVEYOR
CERTIFICATE NO. 9826

TMK: (1) 3-5-005: 016

Y:\2015\15-040\SURVEY\DWG\4607 KAHALA AVE SHORELINE CERT.dwg
JOB NO.: 15-040

ATA AUSTIN, TSUTSUMI & ASSOCIATES, INC.
ENGINEERS, SURVEYORS • HONOLULU, HAWAII, U.S.A.

JUNE 29, 2015
15" X 21" = 2.19 SQ. FT.